

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	8:08CR279
)	
ALLISON KLANECKY,)	ORDER
)	
Defendant.)	

This matter is before the court on the defendant's motion (Doc. 30) to continue trial. Based on counsel's representations, trial will be continued to December 23, 2008.

IT IS ORDERED that the motion (Doc. 30) is granted, as follows:

1. The jury trial now set for December 16, 2008, is continued to **Tuesday, December 23, 2008**. This is a final continuance.

2. In accordance with [18 U.S.C. § 3161\(h\)\(8\)\(A\)](#), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **December 16, 2008 and December 23, 2008**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act due to defense counsel's scheduling conflict and because counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

3. Defendant shall file an affidavit or declaration regarding speedy trial, as required by [NECrimR 12.1 and/or 12.3](#), no later than December 15, 2008.

DATED December 1, 2008.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge